App F

Previous References
M 84-43-3-4
M 143-346-1,4,7,8,9

1944 Municipal

File No 24-4-2
Serial Nos 23

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos one

Part B for May 1944

SUBJECT

To waive the audit objection re: the excess payment of $2,586.96 paid Tender for laying submain No 3 in Chilliwack — B.C.

The Director of Public Health

Loan 11339 dated 15.5.44

Rejects the proposal

1/6

Extract from Audit objection Notes of the Comptroller

Para VI (b)(ii) The lowest tenderers were Messrs R Rajagopa
& Shama Rao who stated in their letter dated 7th December 1939
for item No 8 Removing and Reconstructing storm water drains et
that they would receive the rates quoted by other contractors s
they had not quoted for this item definitely in the first instanc
of the six tenders received the lowest rates for this item of work
are as noted below

Removing and Reconstructing Storm Water Drain

Size of drain	Lowest rates Quoted (1)	Rates paid (2)	Schedule rate (3)
½'x1'	1 7 0	1 7 6	0 8 0 for ½'x½' 0 15 0 for 1' x 1
1½' x 1½'	2 0 0	2 2 0	1 8 0
2' x 3'	2 4 0	2 6 0	1 12 0

When the principle of distributing the main work to several contractors at the lowest tenderer's rates has been adopted, it sh naturally follow that in regard to this item of work also the lo rates should be paid to all the contractors On the other hand payments have been made at higher rates as shown in column 2 above The corresponding scheduled rates for the period were as shown in column 3 which are very low Even calculating at the lowest tende rates the excess payments involved in this case is Rs 863-6-0 as per details in the annexure This is inadmissible and has to be recov Even if the lowest rate quoted for all the three items by another contractor is kept in view, the excess payment will be about Rs 536 and there is the anamoly of paying rates higher than their own quotations in the case of the three other contractors to whom the work was split up This is clearly inadmissible and has to be recovered

"Copy"
G Balakrishnan

Director of Public Health

It is seen from the records that
ie items objected to under the group
;o ' 'ter Drains are paid for at the
ts quoted by the next lowest tender-
: Messrs Ranade Bros to whom the
)rs should have been disposed of
1the absence of distribution The
es as mentioned in the comparative
ttement are submitted to the Director
fPublic Health and his approval is
bained in C 385-180 dated 5 9 1940
h same are included in the rate list
ied with greements entered into
1h the several contractors at the
;ie of starting the work and paid
'o accordingly Copy of the explae-
)ion of the then Accountant obtained
)r the subject is enclosed for kind
.nformation

The question may be reported
to Government and orders
obtained regarding the
recovery of the excess
payment of Rs 869-6-0

From the D P H

No C 353-34/42 dt 2-2-44

Requests orders to waive the audit objection in regard to the excess payment of Rs 869-6-0 made for item 8 of the tender for laying culvert No 3 in Chikpet Area, B cct

1) The estimate for the work is for claimed in fo dt 27-3-39 and the distribution of work among cctr and fmn - 5 in number - was approved in this office letter dt 30th Aug 43

2) Payment - at - made to the extent of Rs 869-6-0 has not been audited in audit and the amount has been proposed to be recovered for the reasons stated + vide fly B

3) But the D P H is of opinion that this payment is reasonable & may be ordered to be admitted in audit

4) The chief Engineer's opinion may perhaps be obtained in the matter in 1/3 3/ A will be done accordingly

ECO No 277 Dated 13-3-44 Lawley Asst

7) Forwarded with compliments & Secy to the Chief Engineer of Mysore PWD 13-3-44 for favour of remarks

Dy Secretary

2366
13 3 44
9113

16/3/44

Continuation Sheet. File No / Current No 4[illegible] of Page

Returned, with compliments, to the Secretary to Government, Law Department

2 The contention of the Director of Public Health that as the lowest tenderer had not quoted for this item of work, the rates given in the next lowest tender were paid is not tenable in-as-much as the entire work was distributed on the basis of the rates quoted in the lowest tender and therefore for this item of work also, only the lowest rates from all the tenders can be paid The procedure adopted by the Director of Public Health has resulted in payment of higher rates than those quoted by the contractors

3 The objection of the Comptroller is, therefore, reasonable

Chief Engineer of Mysore

V M 5/10th

No 464 / 11 " "

10320

According to the report, an item Rs 869-6-0 has been paid in excess of the approved rates for item No 8 removing and reconstructing storm water drains etc in connection with laying Pavement No 3 in Chickpet area at a cost of Rs 1,90,500/- There is an audit objection to this excess payment and it has been proposed by the Audit Dept to recover this sum from the [illegible] concerned

4955
2

The Chief Engineer who was consulted in the matter, says that the objection of the Comptroller is reasonable in the circumstances stated and recommends that the

In the above circumstances, the sanction of the D P H to waive the award of the Special increment of the annual grant is subject to the orders with reference to items 5 and 6 above

The sanction of the Chief Engineer may therefore be communicated to the Director of Public Health for necessary action

Sd/- [illegible]
18/1/[illegible]

As is rightly pointed out by the C-E the entire work was done included on the basis of the rates specified in the Contract and therefore only the lowest rates for the items should have been paid. The audit objection to Valid and correct

Under for the working
No 3. consulting staff
4955 / Secret, Confidential
4 Enclosures

I agree
21/4/44

FOR THE MINISTER
FO L S G & P H
26 4 44
No. 7398

FINANCIAL
53
1 APR
GOVT OF

Respectfully submitted
9/5

To,
The D P H

2 11 339 9/5/44

GEN &

9/5 16/6 Reports the Proposal

WL 24-43-23

GOVERNMENT OF MYSORE

No C 353-34/42 43 PUBLIC DEPARTMENT OF HEALTH

Encl Three

GEN & REV SECT IT 4955 5 FEB 1944 L & G BRANCH Read

DR P PARTHASARATHY L M S B Sc (Mad) L R C P & S (Edin) D T M (Lond) D P H (Camb)
Director of Health
~~Director of Medical Research, Mysore (Bangalore), Director of Public Health, Mysore (Bangalore), Director of Maternity Child and Other Welfare Works, Mysore (Bangalore)~~ Camp Hassan
Mysore (S India) dated January 24, 1944
February 2 1944

To The Secretary to Government,
Law Department, Bangalore

SECY LAW DEPT 4 FEB 1944 GOVT OF MYSORE

SIR,

Tender for the work of laying submain No 3 and connecting street sewers Chickpet portion

Adverting to Government Order No L 7343-46/Wl 143-38-4 dated 27th March 1939 sanctioning an estimate for Rs 1,90,500/- for the above work, I have the honour to state that in response to tender Notification six tenders were received as follows -

1	Messrs Rajagopal & M Shama Rao	Rs 81,756/-
2	Messrs [illegible] Bros	Rs 89,154/-
3	Messrs Arumugam Nagarathnam & Co ,	Rs 89,248/-
4	Messrs Cannon Dunkerley & Co ,	Rs 89,471/-
5	Messrs Coomaraswamy Pillay & Co	Rs 89,336/-
6	Messrs The Mysore Irrigation and Construction Company	Rs 90,809/-

As per recommendation of the Special Officer, Bangalore City Drainage Division, the work was distributed among the first five contractors at the tendered rate of the lowest tenderers viz Messrs R A Rajagopal and M Shama Rao The distribution is appro... Government in their Order No L 8779-42/Wl 81-4 -4 dated 30th August 1943

Dno 528 B 2/9

Messrs R A Rajagopal and M S Shama Rao, the lowest tenderers stated in their letter dated 7th December 1939 that for item No 8 removing and reconstructing storm water drains etc , they would receive the rates quoted by the other contractors since they had not quoted for this item definitely in the first instance For this item of work the contractors were paid for at the rate quoted by the next lowest tenderer Messrs Ranade Brothers to whom the work should have been disposed of in the absence of distribution

The Comptroller has taken objection to the payment of the

[illegible] the lowest tender on the ground that for this particular item the lowest tendered rate should have been [illegible] could be extracted from the audit report and relative vouchers and for the information of Government

[illegible] for this particular item was reasonable. The rates of Messrs. [illegible] lowest tenderers should have been accepted in all fairness as the rates of Messrs. [illegible] were not otherwise acceptable. [illegible] contention that the lowest rate for this particular item from all the tenders is not [illegible] the rates of the contractors [illegible] are lowest for this item and for [illegible] other items in the tenders.

Under the above circumstances, I request you to be so good as to obtain and convey orders of Government waiving the objection raised in audit.

I have the honour to be,

Sir,

Your most obedient servant,

O Gachanja

Director of Public Health

Letter dated 26th March 1943 from Mr. M.A. Narasimhachar, Senior Accountant Bangalore Power and Lighting, Bangalore, to the Special Officer City Drainage Division, Bangalore

With reference to your letter No 615 dated 19th March 1943 to the address of the Executive Engineer Water Supply Division, regarding the disposal of the tender for the work of laying submain No 3 and connected street sewers, I beg to offer my remarks as follows -

The objection of the Comptroller in the Inspection report for 1942-43 relates to the disposal of the tender during December 1939 for the above work. The question is more than 3 years old and I do not at this stage exactly remember the circumstances and the instructions of the Executive Engineer regarding its disposal. From a perusal of the records, I find that 6 tenders were received for the work and the Executive Engineer decided to distribute the work amongst 5 tenderers at the lowest tendered rate to get the work completed efficiently and speedily. The lowest tenderer had not quoted for this item under objection viz., storm water drains and hence the rate of the next lowest tenderer was ordered to be adopted for this item and competent sanction obtained. The excess payment of Rs 869-6-0 pointed out in the Inspection Report is based on the rates quoted by tenderers III and IV and Rs 569-6-0 by tenderer III. After a careful study of the tenders, the rates of the next lowest tenderer was ordered to be adopted and sanctioned.

Copy

Director of Public Health

Annexure (1)

List of those who tendered for laying submain No 3 with connected street sewers with respective tendered amounts

M/s Gannon Dunkerly 1	M/S Ranade bros 2	M/s M Coomaraswamy Pillai & Co 3	M/s Arumugam Nagarathnam Co 4	The Mysore Irrigation and Construction Co , 5	M/S R A Rajagopal and T Shama Rao 6
Rs 89,471/-	Rs 89,154/-	Rs 89,336/-	Rs 89,248/-	Rs 92,829/-	Rs 81,756/- plus 3,695/- Amount as per subsequent modification Rs 85,451/-

Annexure 2

Removing and reconstructing storm water drain in street sewers submain No 3

				Rate tendered		Difference		
Messrs								
Arumugam Nagarathnam Co ,	½"x 1'	540 1/	Rs 1-7-6	Rs 793-7-0	1-7-0	at	0-0-6	16-14-0
	1½" x 1½"	1559¾	2-2-0	3313-6-0	2-0-0		0-2-0	195-0-0
	2" x3"	36	2-6-0	85-3-0	2-4-0		0-2-0	4- 8-0
								Rs 216-6-0
Gannon Dunkerly & Co , Ltd ,	1 ' x 1½'	788	2-2-0	1674-8-0	2-0-0		0-2-0	98-8-0
	½ x 1	247	1-7-6	362-12-0	1-7-0		0-0-6	7-11-0
	2 x 3	547	2-6-0	1299-2-0	2-4-0		0-2-0	68-6-0 Rs 174-9-0
Ranade Brothers	½ x1	629¾	1-7-6	924-14-0	1-7-0		0-0-6	19-11-0
	1½ x 1½	2066	2-2-0	4390- 4-0	2-0-0		0-2-0	258- 4-0
	½ x 3	177	2-6-0	420- 6-0	2-4-0		0-2-0	22- 3-0
								Rs 300-1-0
M Coomaraswamy Pillai and Co ,	1 x 1½	766¾	2-2-0	1629-8-0	2-0-0		0-2-0	95-13-0
	½ x 3	155	2-6-0	368-2-0	2-4-0		0-2-0	19- 6-0
	½ x 1	86	1-7-6	126-5-0	1-7-0		0-0-6	2-11-0
								Rs 117-13-0
Rajagopal and Shama Rao	1½ x 1	42	1-12-6	74-13-0				
	1½ x 1½	119	2- 2-0	252-14-0	2-0-0		0-2-0	18-10-0
	½ x 3	352	2-6-0	836- 0-0	2-4-0		0-2-0	41- 8-0
	½ x 1	14	1- 7-6	20- 9-0	1-7-0		0-0-6	0-7-0 Rs 60- 9-0
Total		8055 rft		15773-2-0				Rs 869-6-0

Sd/- K D Joshi
Special Officer
City Drainage Division

Sd/- Subramaniam
Director of Public Health

Appendix F G —1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

the *194*

Date of issue 15/5

Signed by

List of enclosures

Codied by

Examined by

Section

File No

Serial No

No A/11335

To

The D P H

Sir,

With reference to your letter No E 353-34/GL of 2-2-'44 requesting to waive the audit objection raised in respect of the excess payment made to the extent of Rs 869-6-0 for item No 8 of the tender for laying submains No 3 in Chalfont Area, B cat, I am directed to state that

your contention that, as the lowest tenderer has not quoted for this item of work, the rates given in the next lowest tender was fair is not tenable in - as- much as the entire work has distributed on the basis of the rates quoted in the lowest tender and, therefore for this item of work also, only the low rates from all the tenders can be paid the procedure adopted in this respect has resulted in payment of higher rates than those quoted by the contractors the objection taken by the comptroller is, therefore, reasonable and it cannot be waived

Arrangements may therefore be made to recover the amount wrongly paid to the party concerned so to credit it to the Government

Secretary Rao